

orders of the Commission or its administrative law judge shall be in accordance with the applicable rules of the Department of Labor.

## PART 2705—PRIVACY ACT IMPLEMENTATION

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AUTHORITY: 5 U.S.C. 552a; Pub. L. 93–579.

SOURCE: 49 FR 38542, Oct. 1, 1984, unless otherwise noted.

### § 2705.1 Purpose and scope.

The purposes of these regulations are to:

(a) Establish a procedure by which an individual can determine if the Federal Mine Safety and Health Review Commission, hereafter the “Commission,” maintains a system of records which includes a record pertaining to the individual. This does not include Commission files generated in adversary proceedings under the Federal Mine Safety and Health Act; and

(b) Establish a procedure by which an individual can gain access to a record pertaining to him or her for the purpose of review, amendment and/or correction.

[49 FR 38542, Oct. 1, 1984, as amended at 71 FR 44210, Aug. 4, 2006]

### § 2705.2 Definitions.

For the purpose of these regulations—

(a) The term *individual* means a citizen of the United States or an alien

lawfully admitted for permanent residence;

(b) The term *maintain* includes maintain, collect, use or disseminate;

(c) The term *record* means any item, collection or grouping of information about an individual that is maintained by the Commission, including, but not limited to, his or her employment history, payroll information, and financial transactions and that contains his or her name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as social security number;

(d) The term *system of records* means a group of any records under control of the Commission from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual; and

(e) The term *routine use* means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

[49 FR 38542, Oct. 1, 1984, as amended at 71 FR 54905, Sept. 20, 2006]

### § 2705.3 Procedure for requests pertaining to individuals' records in a records system.

An individual shall submit a request to the Executive Director to determine if a system of records named by the individual contains a record pertaining to the individual. If a record pertaining to the individual does exist in the specified system of records and the individual wishes to review that record he or she shall submit a request to the Executive Director of the Commission which states the individual's desire to review his or her record.

### § 2705.4 Times, places, and requirements for the identification of the individual making a request.

An individual making a request to the Executive Director of the Commission pursuant to § 2705.3 shall present a written request at the Commission Office, 601 New Jersey Avenue, NW., Suite 9500, Washington, DC 20001, on any business day between the hour of 8:30 a.m. and 5:00 p.m. The individual submitting the request should present himself or herself at the Commission's